

October 2, 2018

Hon. Margo K. Brodie
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201



United States Magistrate Judge Bloom
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Capogrosso v. Gelbstein et al, No. 18-cv-2710 (E.D.N.Y.)
Letter in response to Attorney M. Siegmund's Telephone Call of October 2, 2018

Judge Brodie and Magistrate Bloom:

On October 2, 2018 I received a telephone call from attorney M. Siegmund. He requested an electronic copy of my Declaration and Memorandum in Opposition to be sent to him. I refused to do so for the following reasons. One, I served Attorney Siegmund as required with my Opposition on September 28, 2018 and attached thereto my Affirmation of Service indicating a mailing date of September 28, 2018. Second, and more importantly, my Declaration is large and it is Word Format. **I do not have the ability to properly convert the document to PDF format (I will not send my Opposition in Word Format)**

Further, Attorney Siegmund did indicate he needed additional time to answer my Opposition. As this Court gave me a 15-day extension to file my Opposition I consented, subject to the approval of the Court, to 15-day extension for Attorney Siegmund to file his Reply.

I also indicated that if he does not receive my Opposition shortly (and as I stated it was mailed with sufficient postage on September 28, 2018) I would personally deliver my Opposition to his Office.

Respectfully
Truthfully Submitted,

Mario H. Capogrosso
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